

REMARKS

This is a full and timely response to the Office Action of August 12, 2005. By the present Amendment, the claims have been amended to more particularly and distinctly point out the novelty and non-obviousness of the present invention. Reconsideration and allowance of the application and all presently pending claims are respectfully requested.

As previously stated, the present invention provides a system and method for enabling the facilitation and fulfillment of wireless e-commerce transactions in a secure and convenient manner. The present invention further assists in tying e-commerce transactions to "real world" products and services, and provides appropriate systems to enable users to bypass traditional physical world limitations associated with traditional transactions or only partially integrated e-commerce transactions.

By the present Amendment, claims 1, 4, 5, 6, 15, 31, 34 and 52 have been amended, and claims 1-10, 13-42, 44-48 and 52 remain pending. Support for the amendments to the claims can be found, for example, on pages 7 through 13 and 15 through 16 of the original specification as well as Fig. 4 of the drawings.

Regarding the Examiner's objections to claims 1, 34 and 52 on page 2 of the Office Action, the present claims have been clarified such that the Examiner's objections are deemed moot.

While Applicant does not agree that the Examiner has made a prima facie showing of obviousness in rejecting the independent claims of the present application in the Office Action of August 12, 2005, Applicant herewith submits newly amended claims which more particularly point out Applicant's invention and Applicant submits that such amended claims are allowable over all prior art of record.

By the present response, claim 1 has been amended to recite the embodiment of the invention providing a transaction apparatus which includes a transaction management system and a transaction fulfillment system located in remote locations and in communication with each other. As claimed in amended claim 1, the transaction apparatus is provided with means for communicating a transaction code representative of a requested transaction for a commercial item to a wireless communication device apart from the transaction apparatus for display on a display of the wireless device. The method claimed in claim 1 further includes the steps of receiving, by the transaction management system from the transaction fulfillment system, a decoded representation of the first transaction code in response to optically scanning the first transaction code, and correlating the decoded transaction code to a transaction fulfillment event for the commercial item. In this way, the invention provides a fully integrated system and method for facilitating transactions for real world products and services. Support for these amendments can be found in Fig. 4 and in the related discussions on pages 7 through 13 and 15 and 16 of the specification.

Applicant submits that neither Ferber, Nakfoor nor any other reference of record, taken singly or in combination, teaches the invention as presently claimed in claim 1. Ferber discloses an e-coupon system whereby an e-coupon server can use personal profile information in order to transmit e-coupons to a user, which can be redeemed in one embodiment through scanning a barcode from the display of the user's wireless device. Ferber does not teach or suggest integrating a point of sale or other device as a transaction fulfillment system remote from and in communication with a transaction management system as part of a full transaction apparatus as claimed in amended claim 1. Further, Ferber does not teach or suggest receiving, by a transaction management system from a transaction fulfillment system, a decoded representation of a first transaction code in response to optically scanning the first transaction code, and then correlating the decoded transaction code to a transaction fulfillment event for a commercial item, as claimed in amended claim 1.

There is no integrated transaction fulfillment system in Ferber, as Ferber only mentions scanning codes using a coupon scanning device "not shown" or manually entering the human readable portion of a coupon into an input device "not shown" (see Ferber paragraph 0025). Indeed, any feedback regarding coupon redemption is from the wireless device itself (see Ferber paragraph 0027). This, in fact, teaches away from the fully integrated system and method of the present invention as claimed. Because Ferber does not teach or suggest the invention as presently claimed, but rather teaches only a partially integrated e-coupon server system, Ferber does not anticipate or make obvious the invention as claimed in amended claim 1. Additionally, because Ferber teaches communicating redemption information back to the server via the

wireless communication device, it teaches away from combining an integrated transaction fulfillment system with its e-coupon server.

Claim 34 has also been amended similarly to claim 1 and Applicant submits that neither Ferber or Nakfoor, nor any other references of record teaches or suggests the invention as presently claimed therein. Claim 52 has also been amended similarly to claim 1, and claim 52 further claims a client computer system for storing product and service information as part of the transaction apparatus. As described above, Ferber provides a single e-coupon server system and does not provide a client computer system storing product and service information as part of a transaction apparatus which also includes a transaction management system and a transaction fulfillment system all in communication with each other as claimed. Further, it is clear that Ferber is not concerned with receiving a transaction request for a commercial item and providing an integrated transaction apparatus as claimed which facilitates the fulfillment of the transaction for the commercial item. The Ferber processor uses a user profile to select e-coupons from a coupon database targeted at the interests or consumption patterns of the user (see Ferber paragraphs 0010, 0022). Redemption by the coupon user in Ferber involves no communication from a transaction fulfillment system to a transaction management system. Thus, consistent with the reasoning applied above to claim 1, Applicant further submits that the Ferber reference does not teach or suggest the invention as claimed in amended claim 52.

Claims 4 and 5 have been amended to incorporate dependent claims pertaining to the client computer system, and claims 6, 15 and 31 have been amended to correct grammatical errors.

Conclusion

Based on the foregoing, Applicant submits that the present application is in position for prompt adjudication and allowance. Applicant believes that all of the claims currently pending in the present application are now in condition for allowance, and an early notice to that effect is earnestly solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the present application, the Examiner is invited to contact Applicant's undersigned representative at the address and phone number provided below. A three-month extension of time is being filed simultaneously with this Amendment. The Commissioner is hereby authorized to charge Deposit Account No. 50-0766 in payment of the required fees.

Respectfully submitted,  
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Filed: February 13, 2006  
Attached: Petition for 3-month extension of time as part of request for continued examination

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